

100/570913

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Shèn et al.

1A920 Rec'd PCT/PTO 01 MAR 2006

Serial No. TBD

Art Unit: TBD

Filed:

Examiner: TBD

For: OPHTHALMIC COMPOSITIONS FOR TREATING  
OCULAR HYPERTENSION

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

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INFORMATION DISCLOSURE STATEMENT  
RESTATEMENT NO 01 MAR 2006

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

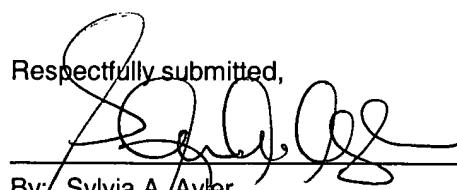
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- the attached information is filed within three months of the filing date of the captioned case.
- the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

  
By: Sylvia A. Ayler  
Attorney For Applicant(s)

Reg. No. 36,436

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-4909

Date: March 1, 2006

Substitute for form 1449A/PTO				<b>COMPLETE IF KNOWN</b>	
<b>INFORMATION DISCLOSURE</b>				Application Number	TBD <b>80/570913</b>
<b>STATEMENT BY APPLICANT</b>				Filing Date	
				First Named Inventor	<b>Shen et al. (10) 01 MAR 2006</b>
				Group Art Unit	TBD
				Examiner Name	TBD
Sheet	1	of	3	Attorney Docket Number	21437YP

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)	
		WO 89/10757		Leo Pharmaceuticals Products Ltd.	11/16/1989
		WO 94/28900		Vide Pharmaceuticals	12/22/1994
		WO 96/33719		Allergan	10/31/1996
		WO 02/24647	..	Ono Pharmaceuticals Co. Ltd.	03/28/2002
		WO 02/42268		Pfizer Products Inc.	05/30/2002
		EP 1114816		Ono Pharmaceuticals Co. Ltd.	07/11/2001
		WO 01/46140		Pfizer Products Inc.	06/28/2004
		WO 04/085431 (CA 040471)		Merck Frosst Canada & Co.	10/07/2004
		WO 01/72268	A1	Toray Industries Inc.	10/04/2001
		WO 94/13275		Toray Industries Inc.	06/23/1994

**Examiner Signature** \_\_\_\_\_ **Date Considered** \_\_\_\_\_

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<p><b>Substitute for form 1449A/PTO</b></p> <p><b>INFORMATION DISCLOSURE</b></p> <p><b>STATEMENT BY APPLICANT</b></p> <p><i>(use as many sheets as necessary)</i></p>				<b>COMPLETE IF KNOWN</b>	
		Application Number		TBD	
		Filing Date		<b>10/15/2091 3</b>	
		First Named Inventor		Shen et al.	
		Group Art Unit		TBD	
		Examiner Name		TBD	
Sheet	2	of	3	Attorney Docket Number	21437YP

**Examiner Signature** \_\_\_\_\_ **Date Considered** \_\_\_\_\_

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>COMPLETE IF KNOWN</b>	
Application Number	TBD 1494570913				
Filing Date	APRIL 01 2006				
First Named Inventor	Shen et al.				
Group Art Unit	TBD				
Examiner Name	TBD				
Sheet	3	of	3	Attorney Docket Number	21437YP

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.			
		A. M. Harman et al., "Development and Aging of Cell Topography in the Human Retinal Pigment Epithelium", 1997, pp. 2016-2026, Vol. 38, No. 10, Investigative Ophthalmology & Visual Science.			
		E. L. Eliel et al., "Chirality in Molecules Devoid of Chiral Centers", 1994, pp. 1119-1190, Chap. 14, <u>Stereochemistry of Organic Compounds</u> .			
		S. M. Berge et al., "Pharmaceutical Salts", 1977, pp. 1-19, Vol. 66, No. 1, J. of Pharmaceutical Sciences.			
		M. Topolski, "Electrophilic Reactions of Carbenoids. Synthesis of Fused Heterocyclic Systems via Intramolecular Nucleophilic Substitution of Carbenoids", 1995, pp. 5588-5594, Vol. 60, J. Org. Chem.			
		C.F. H. Allen et al., "Thiosalicylic Acid", 1991-2002, pp. 580, Coll. Vol. 2, Organic Syntheses.			
		M. Hanner et al., "The Beta Subunit of the High Conductance Calcium-Activated Potassium Channel", 1998, pp. 16283-169296, Vol. 273, No. 26, J. of Biological Chemistry.			
		A. F. Abdel-Magid et al., "Reductive Amination of Aldehydes and Ketones with Sodium Triacetoxyborohydride. Studies on Direct and Indirect Reductive Amination Procedures", 1996, pp. 3849-3862, Vol. 61, J. Org. Chem.			
		P. M. Vasallo et al., "Expression of Na,K ATPase Alpha Subunit Isoforms in the Human Ciliary Body and Cultured Ciliary Epithelial Cells", 1989, pp. 243-252, Vol. 141, J. of Cellular Physiology.			
		E. Tsuji et al., "Preparation of 3-Acetoacetylaminobenzo[b] Furan Derivatives with Cysteinyl Leukotriene Receptor 2 Antagonistic Activity", 2003, pp. 3139-3141, Vol. 1, Org. Biomol. Chem.			

Examiner Signature	Date Considered
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